

1 [Contract]

2 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, PUBLIC HEALTH DIVISION,
3 COMMUNITY MENTAL HEALTH SERVICES, TO ENTER INTO THE FISCAL YEAR 1998-99
4 PERFORMANCE CONTRACT WITH THE STATE DEPARTMENT OF MENTAL HEALTH, WHICH
5 INCLUDES INDEMNIFICATION CLAUSES AND DOES NOT INCLUDE PATENT INFRINGEMENT
6 INDEMNIFICATION AND FALSE CLAIMS CLAUSES.

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8 WHEREAS, As a condition of receiving the State allocation under "Realignment", The State
9 Department of Mental Health requires the City to enter an annual Performance Contract, a copy of which
10 is on file with the Clerk of the Board of Supervisors in File No. 990122 : and,

11 WHEREAS, The Contract contains certain provisions described below, which require the
12 approval of the Board of Supervisors; and,

13 WHEREAS, The Contract does not contain certain provisions described below, which are
14 required under the Administrative Code unless waived by the Board of Supervisors; now, therefore, be it

15 RESOLVED, That the Director of Health is authorized to enter into the Fiscal Year 1998-99 San
16 Francisco City and County Performance Contract for Mental Health Services; and, be it

17 FURTHER RESOLVED, That Jo Ruffin, LCSW, Director of Community Health Services, is
18 authorized to sign said Contract for submission to the State Department of Mental Health;
19 and, be it

20 FURTHER RESOLVED, That the Board of Supervisors hereby approves the provision in the
21 Contract pursuant to which the City indemnifies The State Department of Mental Health; and, be it

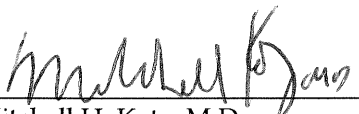
22 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement contained
23 in Sections 6.21 and 21.19 of the Administrative Code that the contract include an indemnification of the
24 City by the The State Department of Mental Health for the infringement of patent rights; and, be it
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FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement contained in Section 6.57 (c) of the Administrative Code that the Contract include a paragraph reciting the false claim provisions contained in Section 6.57 (a) of the Administrative Code.

RECOMMENDED:

APPROVED:



Mitchell H. Katz, M.D.
Director of Health



Health Commission

Department of Public Health



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 990122

Date Passed:

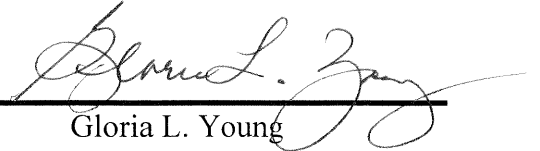
Resolution authorizing the Department of Public Health, Public Health Division, Community Mental Health Services, to enter into the fiscal year 1998-1999 performance contract with the State Department of Mental Health, which includes indemnification clauses and does not include patent infringement indemnification and false claims clauses.

February 22, 1999 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 990122

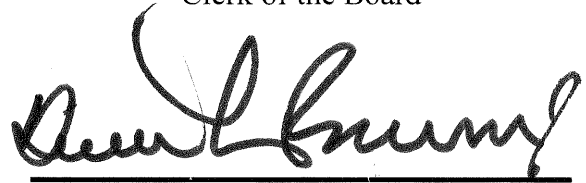
I hereby certify that the foregoing Resolution was ADOPTED on February 22, 1999 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

MAR - 5 1999

Date Approved



Mayor Willie L. Brown Jr.

File No. 990122 continued...